

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

JAMES COWAN,

Plaintiff,

VS.

RICHARD ALLEN, *et al.*,

Defendants.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

Case No. 4:11-cv-00245-JHH-TMP

MEMORANDUM OF OPINION

The magistrate judge filed a report on July 5, 2012, recommending that the defendants' special report be treated as a motion for summary judgment and, as such, that it be granted and this action dismissed with prejudice. Although they were advised of their right to file specific written objections within fifteen days, no objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 25th day of July, 2012.

James H. Hancock

UNITED STATES DISTRICT JUDGE

SENIOR UNITED STATES DISTRICT JUDGE